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Action

Credentials and Certificated Assignments Committee

Proposed Addition to California Code of Regulations, Title 5 Section 80033.2 Pertaining to Special Temporary Certificates

Executive Summary: The proposed addition of Section 80033.2, to Title 5 of the California Code of Regulations, pertaining to special temporary certificates, are presented for review.

Recommended Action: Direct staff to proceed with preparing an emergency regulatory file. The emergency regulatory file will allow the Commission to implement the proposed changes immediately.

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Strategic Plan Goal: 1

Promote educational excellence through the preparation and certification of professional educators

Sustain high quality standards for the preparation of professional educators

Proposed Addition to California Code of Regulations, Title 5

Section 80033.2, Pertaining to Special Temporary

Certificates

Introduction

This item proposes the addition of a section to Title 5 of the California Code of Regulations pertaining to special temporary certificates as emergency regulations. If approved, the emergency regulations will allow the Commission to issue special temporary certificates to current holders of individualized internship certificates. The emergency regulations will be filed with the Office of Administrative Law following approval by the Commission.

Background

On August 2, 2005, Californians for Justice Education Fund filed suit against the California Commission on Teacher Credentialing challenging the Commission's authority to issue Individualized Internship Certificates (IIC). On November 2, 2005, the Court determined that the Commission did not have the authority to issue Individualized Internship Certificates without first promulgating regulations and that IICs are therefore void. The stipulated judgment requires the Commission to establish a Special Temporary Certificate (STC), which is to be accomplished through emergency Title 5 regulations. Once the emergency STC regulations are approved by Office of Administrative Law, current IIC holders will be deemed to hold an STC. The STC will have the same requirements and authorization as the voided IIC and will allow the teacher to remain in the classroom with no interruption. The Commission will convert IICs to STCs in its database, however no new paper documents will be issued.

The Office of Administrative Law has ten days to approve or deny emergency regulations, after which, if approved, it files the regulations with the Secretary of State. The regulations become effective the day they are filed with the Secretary of State, which should be no later than December 12, 2005. After the regulations become effective, the Commission staff will notify employing agencies that IIC holders are now deemed to hold an STC and convert IICs to STCs in the Commission's database.

Proposed Additions to Regulations

Section 80033.2

- **80033.2(a)** lists the types of special temporary certificates requested by employers and issued by the Commission .
- **80033.2(b)** lists the minimum requirements for a special temporary certificate.

- **80033.2(c)** provides for support and assistance for holders of special temporary certificates including the plan developed by the certificate holder and the professional preparation program.
- **80033.2(d)** describes the validity period of the special temporary certificate.
- **80033.2(e)** contains the authorization for the special temporary certificate.
- **80033.2(f)** lists the requirements to transition from a special temporary certificate to either a district or university internship credential.

Proposed Addition to California Code of Regulations, Title 5 Section 80033.2, Pertaining to Special Temporary Certificates

Section 80033.2. Special Temporary Certificates.

- (a) The Commission may issue special temporary certificates in the areas of multiple subject, multiple subject with Bilingual Crosscultural and Language Acquisition Development (BCLAD) emphasis, single subject, single subject with BCLAD emphasis, and education specialist at the request of an employing agency pursuant to the stipulated judgment in Californians for Justice Education Fund v. California Commission on Teacher Credentialing, San Francisco Superior Court Case No. CPF-05-505517 solely for purposes of replacing the voided Individualized Internship Certificates.
- (b) The minimum requirements for a special temporary certificate in the areas listed in (a) includes verification of all the following:
 - (1) A baccalaureate degree or higher degree, except in professional education, from a regionally accredited institution of higher education.
 - (2) Passage of the California Basic Educational Skills Test (CBEST), as described in Education Code Section 44252, unless exempt by statutes or regulations.
 - (3) Demonstration of knowledge of the Constitution of the United States as provided in Education Code Section 44335.
 - (4) If the applicant does not already have fingerprint clearance on file with the Commission, verification of clearance as required in Education Code Section 44339.
 - (5) Each applicant is enrolled in a Commission-approved professional preparation program and has an offer of employment in the subject of the certificate.
 - (6) Subject-matter knowledge.

- (A) Multiple subject and multiple subject with BCLAD emphasis special temporary certificate applicants shall meet this requirement by passage of an examination as provided in Education Code Sections 44280, 44281, and 44282.
 - (B) Single subject and single subject with BCLAD emphasis special temporary certificate applicants shall meet this requirement either by passage of an examination as provided in Education Code Sections 44280, 44281, and 44282 or by completion of a subject-matter program as provided in Education Code Section 44310.
 - (C) Education specialist special temporary certificate applicants shall meet this requirement by meeting the requirements in either (b)(6)(A) or (b)(6)(B). Subject matter knowledge is not a requirement for the candidate for an early childhood education specialist special temporary certificate.
- (7) Multiple or single subject with BCLAD emphasis special temporary certificate applicants must pass an assessment covering oral language proficiency in the target language verified by a California college or university as a part of its Commission-approved BCLAD emphasis program.
- (c) The university in which the special temporary certificate holder is enrolled must provide assistance and guidance to the candidate as part of their support and supervision of their professional preparation program. Each certificate holder is assisted and guided by a certificated employee that possesses valid certification at the same level or of the same type of the holder of the certificate.
- (1) The employing agency and special temporary certificate holder, in cooperation with the university in which the holder is enrolled, will develop a two-year plan to complete the requirements to earn a credential in the subject of the certificate. This plan must be completed within 90 days of employment. The plan may include, but is not limited to, all of the following:
- (A) Course work that must be completed.
 - (B) Examinations that must be completed.
 - (C) Field experiences that must be completed.
 - (D) Provision and schedule for completing the appropriate Teaching Performance Assessment (TPA), when implemented, or the equivalent.
- (E) Provision for the candidate to move into an induction program or equivalent.
- (d) Validity.

- (1) All special temporary certificates shall be issued for no more than two years and are not renewable. The special temporary certificate shall expire upon the issuance to the individual of another valid teaching document from the Commission or on the date of expiration of the original voided Individualized Internship Certificate document, whichever occurs first. All special temporary certificates will be available only to holders of the voided Individualized Internship Certificate and are restricted to the employing agency requesting the credential.
- (e) Authorization.
- (1) A multiple subject special temporary certificate authorizes the same service as a multiple subject credential.
 - (2) A multiple subject special temporary certificate with BCLAD emphasis authorizes the same service as a multiple subject credential with BCLAD emphasis.
 - (3) A single subject special temporary certificate authorizes the same service as a single subject credential.
 - (4) A single subject special temporary certificate with BCLAD emphasis authorizes the same service as a single subject credential with BCLAD emphasis.
 - (5) An education specialist special temporary certificates authorizes the same service as an education specialist teaching credential.
- (f) The holder of a valid Special Temporary Certificate may apply for either a district or university internship credential in the same subject area by submitting either (1) or (2) to the Commission. The internship credential will have a new issuance date but retain the original expiration date and will be restricted to the employing agency.
- (1) A letter from the director of the district internship program or designee verifying enrollment in its program and requesting a change from the Special Temporary Certificate to the district internship credential.
 - (2) A letter from the college or university dean/director of education or designee verifying enrollment in its program and requesting a change from the Special Temporary Certificate to the university internship credential.

Note: Authority cited: Section 44225. Education Code. Reference: Sections 44225(b), 44225(d), 44225(e), 44225(g), 44225(l), and 44252 and *Californians for Justice Education Fund v. California Commission on Teacher Credentialing*, San Francisco Superior Court Case No. CPF-05-505517.